

**Milford Water/Wastewater Commissioners’  
Meeting Minutes  
January 5, 2016**

Present: Michael Putnam, Chairman  
Dale A. White, Vice-Chairman  
David Boucher, Director  
Robert E. Courage, Member  
Evelyn Gendron

**Call to Order**

Chairman Putnam called the meeting to order at 6:04 p.m. The Commissioners and Director Boucher welcomed Town Administrator Bender. Vice-Chairman White told Mr. Bender that this is the first time in six years, since he has been a commissioner, that someone has attended a Board of Commissioners meeting who hadn’t been an invited guest to discuss a water and sewer project or abatement request. Mr. Courage added that the commissioner meetings never have had observers. Discussion continued later during the meeting.

**Decisions/Approvals**

Approval of Meeting Minutes – Vice-Chairman White made the motion to approve the December 22, 2015 meeting minutes with two amendments. Commissioner Courage seconded the motion. All voted in favor.

Financial Assistance Request – 194 Mont Vernon Street – Following discussion of this water customer’s correspondence, Commissioner Courage made the motion, seconded by Vice-Chairman White, to authorize Mr. Boucher to respond directly to this individual’s inquiry with local and/or state opportunities for assistance. All voted in favor.

Sewer Abatement Request – 5 Chase Lane – Commissioner Courage made the motion to approve this sewer abatement request due to high water use that did not enter the sanitary sewer system as a result of irrigation purposes, and is based upon a one-time exception to billing policy. This customer has been made aware of the opportunity to install a second water meter for accurately billing water for irrigation. The amount of usage to be abated is 4,282 cubic feet. Vice Chairman White seconded the motion. All voted in favor.

Water Users Fee/Tax Collector’s Warrant – The Commissioners signed the Tax Collector’s Warrant for collection of taxes in the matter of water users fees for the December 2015 Bill Commitment 151231 and for the December 2015 Final Bills issued.

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2016 Warrants: Minority/Majority Reports – Director Boucher will inform Ms. Tina Philbrick, Executive Assistant, of the motions made this evening as follows:

**Wastewater UV Disinfection Replacement - Bond - \$950,000.00**

**THE WATER AND SEWER COMMISSIONERS SUPPORT THIS WARRANT ARTICLE (3 – 0)**

**Board of Water and Sewer Commissioners' Majority Report**

This is a Special Warrant Article in accordance with RSA 32 and is paid for by the wastewater user fees. The purpose of this article is for the replacement of the existing 1991 Ultra-Violet Disinfection System used to treat wastewater before being discharged to the Souhegan River. Motion made by Vice-Chairman White, seconded by Commissioner Courage, All voted in favor.

**Wastewater Treatment Operating Budget - \$1,913,465.00**

**THE WATER AND SEWER COMMISSIONERS SUPPORT THIS WARRANT ARTICLE (3 – 0)**

**Board of Water and Sewer Commissioners' Majority Report**

The proposed 2015 Sewer Department Operating Budget reflects an increase of 0.9% to the 2015 Operating Budget, or an increase of \$16,533.00. Vice-Chairman White made the motion, seconded by Commissioner Courage. All voted in favor.

**Water Department Operating Budget - \$1,393,395.00**

**THE WATER AND SEWER COMMISSIONERS SUPPORT THIS WARRANT ARTICLE (3 – 0)**

**Board of Water and Sewer Commissioners' Majority Report**

The proposed 2015 Water Department Operating Budget reflects an increase of 0.8% to the 2015 Operating Budget, or an increase of \$10,967.00. Commissioner Courage made the motion, seconded by Vice-Chairman White. All voted in favor.

**Discussion/Information Items**

Underwood Engineers General Services Agreement – The General Services Agreement for Professional Engineering Services dated December 14, 2015 prepared by Underwood Engineers containing contractual language for future, basic, general engineering tasks which could be completed upon request was signed by each of the commissioners on a motion made by Vice-Chairman White and seconded by Commissioner Courage. All voted in favor. Director Boucher noted correction to the “2015” on page 3 of the prepared document to become “2016” to reflect signatures were applied On This 5 day of January 2016.

The Underwood Engineers General Services Agreement – HVAC Project topic was tabled for further discussion during the January 19<sup>th</sup> commissioners’ meeting to allow sufficient review of the emailed breakdown of estimated hours and fee received from Mr. David Mercier, Underwood Engineers, reducing the previously submitted estimated hours and fee from \$56,300.00 to \$43,800.00.

Border Street Final Paving – Upon review of updated paving calculations provided by Mr. Bruce Berry, Amherst DPW Director, it was the consensus of the Board of Commissioners that the new paving cost calculations for Milford's portion of the Border Street/Merrimack Road water main upgrade project continue to be a very fair share. The base coat paving work completed during the fall 2015 was wider than originally anticipated. The final paving will be performed this spring after the frost and settling of the roadwork. The commissioners commented how pleasant it was to work with Mr. Berry on this water project together and that his efforts are appreciated. Commissioner Courage made the motion to approve the new estimated total cost for Milford's portion for paving the Border Street/Merrimack Road water main upgrade project to be \$75,654.78, an increase of \$19,732.05 beyond the originally anticipated share of \$55,922.73. Chairman Putnam seconded the motion. All voted in favor.

Broadcasting of Meetings – Chairman Putnam said during last night's Board of Selectmen's meeting he expressed the commissioners' desire to not have their meetings televised, and that the other four Selectmen felt the commissioners' meeting should be televised. He said he itemized the commissioners concerns: size of room, the distraction, impact upon the Water Utilities staff, and that no one has attended the water and sewer commission meetings to observe the discussion/decision processes in more than six years. Vice-Chairman White said the Right to Know law is covered through the meeting minutes, he has obtained the opinion of Town Counsel, and members of this Board should not be told by members of an outside Board how their meetings should be run. Mr. Bender, being present this evening, explained that the Board of Selectmen has been working with the Granite Town Media to broadcast all of the various meetings around town, at least on a schedule so that their meetings are broadcast. He said he didn't know how many people around town watch, but the following committees are usually televised: the Budget Committee, Recreation and Conservation Committee, with broadcasting all or most meetings being the goal. From his personal experience attending the Board of Selectmen meetings, at the beginning it may feel awkward but then the cameras are forgotten. Commissioner Courage asked if all board and committee meetings would be broadcast or would board and committee meetings be televised on a rotating schedule. Mr. Bender said he couldn't say that every meeting would be covered, but they would try to cover a lot of them and to that end another meeting room is being set up downstairs at Town Hall to facilitate meeting broadcasts, and would not really cost taxpayers anything due to GTM funding through Comcast. Mr. Courage asked if a board such as the Board of Commissioners would be expected to hold meetings at Town Hall. Mr. Bender replied not necessarily. Granite Town Media could bring a camera to Water Utilities and the conference table be angled differently since the room is not large, accommodations could be easily made. Mr. Bender said he hears the Board of Commissioners, including the Board of Selectmen; there is no legal obligation to broadcast those meetings. The obligation is to have an open meeting, to publish an agenda, to maintain minutes. He said here in Milford, we just choose to so that citizens can watch meetings if they want. Mr. Courage said the Selectmen say the commissioners should have meetings broadcast. Do they have the authority to tell the commissioners that? Mr. Bender said he didn't know, maybe not. Mr. White said he was told by Attorney Drescher that they do not have that authority. Mr. Putnam said the Selectmen do have the authority to tell Granite Town Media to arrange to broadcast the Water Utilities/Board of Commissioner meetings, similar to videotaping school sport events. Mr. Courage asked what recourse the commissioners would have should the Selectmen request Granite Town Media come to video tape the commissioner meetings. Mr. White said he has never tried to hide anything. Mr. Boucher said anyone wanting to video a meeting could be told where to be while doing the videotaping to avoid disrupting how a meeting is conducted. Mr. Courage said he has been on TV many times, but what it comes down to is where does Attorney Drescher's ruling come into play. If the Selectmen have the authority to tell GTM to tape record the Board of Commissioner meetings, what recourse do the

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commissioners have, if the meetings do not have to be video recorded. Mr. Boucher said any member of the public may attend any meeting and video tape. Mr. White said that is the point. Mr. Boucher said he doesn't know about the Granite Town Media attending the commissioners' meeting on behalf of the Board of Selectmen, it seemed to him that is a gray area. Mr. Courage wanted to return the attention to Attorney Drescher's written decision. Mr. Putnam pointed out that the Granite Town Media Committee is appointed by the Board of Selectmen and has a Selectmen's representative assigned to the committee, and the GTM is under the jurisdiction of the Board of Selectmen. Mr. White said he objects to the Board of Commissioners being told what to do, when what the commissioners have been doing is perfectly legal. Secondly, he objects to the commissioners being contacted by a Town employee to inform the commissioners that he would begin televising meetings as of a particular date. He said it is his opinion that a member of the Board of Selectmen should have approached the Board of Commissioners directly to discuss this matter and that the Selectmen do not have the right to tell the Water and Sewer Commissioners how to run their meeting. He said the commissioners are elected board members that comply with the Right to Know Law and have done so since he has served on this board. Mr. White said the Selectmen have been invited to come talk with the commissioners. Mr. Bender said fair enough. Mr. White said the commissioners oversee a large water and sewer budget and everything has been going in a straightforward manner. Mr. Putnam said the funding from Comcast could be better utilized in other ways, such as filming the school sporting events or other committees in town who prefer to be televised. Mr. Bender said the commissions run a good meeting, from what he has seen here, from a procedural standpoint. Mr. Boucher pointed out that during every Milford Deliberative Session the question is raised as to who gives oversight to the water and sewer budgets, and the answer is the Board of Water and Sewer Commissioners, just as the Board of Selectmen oversee the Town Administrator's departmental budgets. Often it is the Budget Advisory Committee that asks the question, sometimes a member of the public asks. Mr. White said if the public doesn't like what he is doing on the Board of Commissioners, then voters could elect someone else. Mr. Bender said he is making a supposition when he says that the Selectmen had made the overall objective to begin broadcasting meetings, beginning with their own meetings and reaching down to other committees just to keep townspeople better informed of what is going on. Mr. White said he joined this Board to serve the townspeople to the best of his abilities and he has said his piece, others are entitled to their opinions and discussion.

2016 Draft Water Utilities Budget – Mr. Boucher distributed the draft 2016 Water Utilities Budget. Budget line items were reviewed. Commissioner Courage requested Mr. Boucher prepare an outline of contributing factors to the budget items that increase the water and sewer budgets prior to the upcoming Budget Advisory Committee meeting and Deliberative Session. Mr. Boucher will contact Mr. Sheehy, Director of Financial Operations, with questions regarding employee benefit line items, whether some project funds should be transferred from the budget and into capital reserve, and a few questions regarding bonded fee schedules. Director Boucher responded to the commissioners' inquiries. Following discussion, Vice-Chairman White made the motion to remove \$40,000 for the water meter replacement program from the water department budget to be reclassified as a capital project and paid for out of the Water Capital Reserve account. Chairman Putnam seconded the motion. All voted in favor. Mr. Bender will speak with Mr. Sheehy regarding a 2014 depreciation line item appearing on page 12.

Activities Report – Mr. Boucher responded to the commissioners' inquiries.

Items not on the Agenda – On January 12<sup>th</sup> at 9:00 a.m., the non-mandatory U.V. Disinfection Project pre-bid meeting will be held at the Water Utilities Department, 564 Nashua Street with Underwood Engineers, and on January 26<sup>th</sup> at 2:00 p.m. a bid opening will be held at the same location for this project. Mr. Boucher will attend the Budget Advisory Committee Meeting at 6:30 p.m. tomorrow evening.

For the next commissioners meeting, Mr. Boucher will present results of his 2015 established goals and objectives and submit projected 2016 goals. Mr. Courage requests that a water department maintenance software program be put into place. Hardcopies of the water and sewer maps should be updated. Water gate valve and hydrant gates should also be up to date. Mr. Boucher said the tie cards are up-to-date.

**Non-Public Session** – A non-public session was not held this evening.

**Future Appointments/Meetings:**

The next Commissioners' meeting will be held on **Tuesday, January 19, 2016 at 6:00** pm at the Water Utilities Department, 564 Nashua Street.

**Adjournment:**

At 7:45 p.m. Vice-Chairman White made the motion to adjourn the meeting, seconded by Chairman Putnam. All voted in favor.

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Michael E. Putnam, Chairman

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Date

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Dale A. White, Vice-Chairman

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Date

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Robert E. Courage, Commissioner

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Date